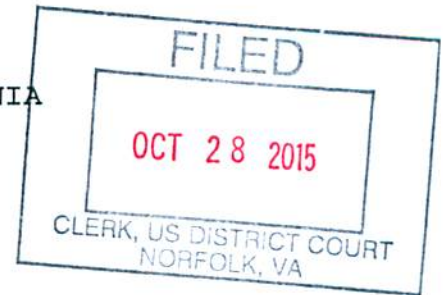


UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Norfolk Division



DENISE CUFFEE,

Plaintiff,

v.

ACTION NO. 2:15cv35

CAROLYN W. COLVIN,
Acting Commissioner of
Social Security,

Defendant.

FINAL ORDER

Plaintiff, Denise Cuffee ("Plaintiff"), brought this action seeking judicial review of the final decision of the Acting Commissioner of the Social Security Administration denying her claims for disability insurance benefits and Supplemental Security Income under Title II and Title XVI of the Social Security Act. Specifically, Plaintiff claimed that the Administrative Law Judge erroneously failed to adopt a previous finding regarding her residual functional capacity, improperly assessed her credibility, and erred in evaluating the testimony of a Vocational Expert.

This matter was referred to a United States Magistrate Judge, pursuant to the provisions of 28 U.S.C. § 636(b)(1)(B) and (C) and Rule 72(b) of the Federal Rules of Civil Procedure, as well as Rule 72 of the Rules of the United States District Court for the Eastern

District of Virginia. The Report and Recommendation of the Magistrate Judge was filed on September 18, 2015, recommending that Plaintiff's Motion for Summary Judgment, ECF No. 14, be denied; that the Acting Commissioner's Motion for Summary Judgment, ECF No. 15, be granted; and that the final decision of the Commissioner be affirmed.

By copy of the Report and Recommendation, ECF No. 18, each party was advised of the right to file written objections to the findings and recommendations made by the Magistrate Judge. On October 2, 2015, Plaintiff filed her objections to the Report and Recommendation. ECF No. 19. On October 13, 2015, Defendant responded to Plaintiff's objections. ECF No. 21.

Following a de novo review of the Report and Recommendation, and the objections filed thereto, and finding no error, the Court will **ADOPT** the findings and recommendations set forth in the Report and Recommendation of the United States Magistrate Judge filed on September 18, 2015. Therefore, Plaintiff's action is **DISMISSED WITH PREJUDICE**.

The parties are **ADVISED** that they may appeal from this Final Order by forwarding a written notice of appeal to the Clerk of the United States District Court, United States Courthouse, 600 Granby Street, Norfolk, Virginia 23510. Said written notice must be received by the Clerk within sixty (60) days from the date of this

Final Order.

The Clerk shall forward a copy of this Final Order to counsel of record for the parties.

/s/ 

Mark S. Davis
United States District Judge

Norfolk, Virginia

October 28, 2015